

Appl. No. 10/055,484
Amdt. dated 07/22/2003
Reply to Office Action of 4/22/2003

REMARKS/ARGUMENTS

Claims 1 and 2 now in the case stand rejected as being unpatentable over Mindrum in view of Yamamoto. It is Examiner Kim's position that Mindrum teaches a system and method for retrieving information of a deceased which allows for online retrieval of information from a central machine database utilizing a personal computer remotely connected to the Internet. It is Examiner Kim's further position that Mindrum, while teaching identifiers 46A/46C which carry visible identification data, that Mindrum fails to specifically teach the medallion permanently attached to a gravestone.

Examiner Kim has cited Yamamoto which teaches a portable tomb containing various memorabilia and labels, such as metals, jewelry and photos and uses this reference as supplementing Mindrum's teaching sufficiently to render the claims in the case unpatentable.

THE INVENTION

Applicant's invention is directed to the utilization of an ornamental medallion bearing a preselected unique identification number which is assigned to a decedent and which is keyed to ancestral information about the decedent stored and accessible by internet on a main computer. The medallion is attached to the gravestone of the decedent so that anyone visiting the gravesite will be able to copy that number down, enter it into a personal computer of choice and, via the Internet, have access to that family ancestral information there stored utilizing only that unique identification and nothing more.

Claim 1 has been amended to emphasize the combination of the medallion being permanently attached to the gravestone, while new independent claim 3 presents the claimed subject matter above described in a narrower "consisting of" format.

Appl. No. 10/055,484
Amdt. dated 07/22/2003
Reply to Office Action of 4/22/2003

DEFECTS OF ART REJECTION

With respect to the Mindrum reference, Examiner Kim characterizes the "identifier" 46A/46C as carrying visible identification data. This statement appears to be a mischaracterization of this aspect of Mindrum. In viewing Figure 3 in combination with column 5, lines 44 - 59, although items 46A/46C are called "identifiers" located adjacent each burial site, they are further described as emitting a unique transponder signal which will activate a mobile unit 30 which is carried by a person to be proximately located with the particular identifier and tombstone. At that point, if the transponder is properly tuned to the frequency preset for the mobile unit 30, the mobile unit 30 will be activated to present audio and video information via radio wave of ancestral information stored in a computer located in the cemetery office on the grounds of the cemetery.

There is therefore no insinuation or teaching whatsoever in Mindrum that each of these "identifier" transponders 46A/46B bear any visible signs of identification data whatsoever.

Turning to Yamamoto, Examiner Kim has characterized the portable tomb 10 as being formed of cast transparent material which encapsulates memorabilia of the deceased into a viewable solid tomb, the memorabilia including metals, jewelry and photos of the deceased. These materials are further characterized as contributing to the defective teaching of Mindrum with respect to the ornamental medallion now claimed in the present case. The contents of the tomb 10, however, do not bear any form of visible identification number (I.D.) which could be utilized to access ancestral data stored in a remote main computer. Although the deceased's name, DNA tissue, jewelry, awards, photos, are indeed shown encapsulated in the transparent tomb 10, there appears to be

FAX RECEIVED

JUL 22 2003

TECHNOLOGY CENTER 2800

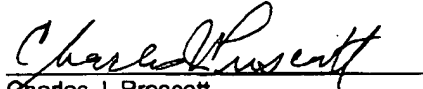
Appl. No. 10/055,484
Amdt. dated 07/22/2003
Reply to Office Action of 4/22/2003

nothing that could be characterized as an identification medallion similar in any way to that claimed in the present case.

The prior art teaching cited by Examiner Kim appears to have failed to teach the very important and essential element of the present invention in the form of a medallion permanently attached to a gravestone bearing an identification number unique to the deceased which can be utilized to access computer information stored on a mainframe computer by the Internet.

It is submitted that the claims now in the case are in condition for allowance and same is respectfully requested. However, if Examiner Kim finds informalities which can be rectified by telephone, he is requested to do so before issuing any further office action.

Respectfully submitted,



Charles J. Prescott
Reg. No. 30,316
Charles J. Prescott, P.A.
2033 Wood Street, Suite 115
Sarasota, Florida 34237
(941) 957-4208

CERTIFICATE OF MAILING

I HEREBY CERTIFY that the foregoing is being facsimile transmitted to the Honorable Commissioner for Patents, (703) 308-7722, this July 22, 2003.


Charles J. Prescott

10/055,482-1

FAX RECEIVED 2876

JUL 22 2003

TECHNOLOGY CENTER 2800

CHARLES J. PRESCOTT, P.A.
2033 Wood Street, Suite 115
Sarasota, Florida 34237
(941) 957-4208
Fax (941) 957-4210

Facsimile Cover Sheet

Date: 7-22-03

Number of pages to follow: 8

To: Compendex Patents, 703 308-7722

Attn: Examiner Heidi Kim

From: C.J. Prescott

Comments:

Please enter and deliver
the following 8 pages
to Examiner Kim.

The information contained in this fax is confidential and may also be attorney-privileged. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this fax is strictly prohibited. If you have received this fax in error, please notify us by telephone, collect.